

### **REMARKS**

The Office Action mailed January 20, 2004 has been reviewed and carefully considered. Claims 1-17 remain pending in the application. Of these, claims 1 and 10 are the independent claims. Claims 2 and 10-13 have been amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

The abstract stands objected to for language and format. Appropriate correction has been made.

Three portions of the specification are cited as mutually inconsistent: page 6, lines 20-22; page 7, lines 3-4; and page 7, lines 5-6. The applicants have reworded page 6, line 20 to correct grammatical errors caused by translation of the counterpart foreign patent application into English. See corrections to first paragraph in the above section "IN THE SPECIFICATION." How to rectify these grammatical errors in line 20 of page 6 is immediately evident from FIG. 2 and the disclosure as a whole, and would be recognized as such by anyone of ordinary skill in the art.

As to page 7, lines 3-4, item 2 of the Office Action suggests that this portion of the specification implies that the "DC level value detection section 162" is included within the DEMUX 110. The applicants do not agree, and believe that the cited portion of the specification, as written, is clearly understood to one of ordinary skill in the art.

As to page 7, lines 5-6, item 2 of the Office Action suggests that this portion of the specification implies that the "DC level value detection section 162" is separate from both the DEMUX 110 and the BICDR receivers 120. The applicants agree,

although support for this proposition is not confined to this portion, but instead is evident throughout the disclosure. FIG. 2, for example, clearly shows that the “DC level value detection section 162” is separate from both the DEMUX 110 and the BICDR receivers 120.

In view of the correction of the translation-induced grammatical errors, the objection to the disclosure is believed to have been overcome.

Claims 1-17 stand rejected under 35 U.S.C. 112, first paragraph, as non-enabled by the disclosure.

Regarding claims 1-9, item 4 of the Office Action suggests that lines 6-7 of claim 1 are inconsistent with lines 4-9 of page 8 of the specification. The perceived “inconsistency” appears to stem from a grammatical error – on page 8, line 7 the preposition “by” should be substituted for the preposition “to.” See the correction in the above section “IN THE SPECIFICATION.” How to rectify the grammatical error is clear from the disclosure, e.g., FIG. 2.

Regarding claims 10-17, item 4 of the Office Action states “The applicant does not disclose in the specification a bit rate receiver that converts incoming electrical signals into optical signals, as claimed in claim 10.” The applicants agree. As FIG. 2 and the disclosure as a whole, e.g., page 6, lines 8-9, clearly suggest, the word “receiver” should be replaced with the word “transmitter” throughout claims 10-13. This correction has now been made to claims 10-13.

As to claim 2, item 4 of the Office Action suggests that the term “remote location” in claim 2 as originally filed is not disclosed elsewhere in the disclosure. Accordingly, claim 2 has now been amended to recite a switch for outputting said

converted electric signals from the respective said bit rate receiver to a “respective bit rate transmitter,” rather than to a “remote location.” Support for this amendment is found at least at page 6, lines 8-9 of the specification, and in what one of ordinary skill in the art understands about the functioning of a NxN Cross-Connection Switch 130 appearing in FIG. 2.


As set forth above, the applicants believe that any proper basis for a Section 112, first paragraph rejection of a claim has been overcome.

In view of the foregoing amendments and remarks, it is believed that this application is now in condition for allowance. The Examiner is invited to contact the undersigned in the event of any perceived outstanding issues so that passage of the case to issue can be effected without the need for a further Office Action.

In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470.

Respectfully submitted,

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Date: 3/16/04

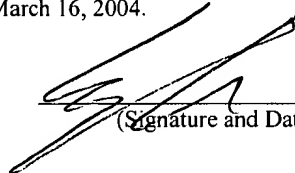
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